



## INTERNATIONAL INDIAN TREATY COUNCIL

2390 Mission St., Suite 301  
San Francisco, CA. 94110  
Telephone (415) 641-4482  
Fax (415) 641-1298  
email:alberto@treatycouncil.org



August 21, 2006

Mme. Hina Jilani,  
Special Representative of the Secretary General for Human Rights Defenders  
Office of the High Commissioner for Human Rights  
Geneva, Switzerland  
Via Fax and Email: + [41-22] 917-9006; [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)

cc: Mr. Rodolfo Stavenhagen, Special Rapporteur, via fax and email  
Mr. Philip Alston, Special Rapporteur, via fax

Re: **Urgent Action** on Behalf of the Cordillera Peoples Alliance and its members and associates: The assassinations of Mr. Rafael Markus Bangit, (8 June 2006); and Mrs. Alice-Omengan Claver and the attempted assassination of her husband, Dr. Constancio Claver, M.D. (July 31, 2006); Threats and intimidation against members of the Cordillera Peoples Alliance and other Indigenous leaders and Indigenous human rights defenders in the Philippines

Dear Special Representative of the Secretary General, Mme. Jilani,

Please receive our respectful greetings.

The Cordillera Peoples Alliance (CPA) a NGO in the Philippines and the International Indian Treaty Council, an NGO in the United States, both Indigenous NGOs in support of the rights of Indigenous Peoples, present this urgent action request on behalf of the Cordillera Peoples Alliance and their members and their families, and their associates.

We are extremely concerned that the CPA and other Indigenous activists are being targeted by the government of the Philippines, the Philippines National Police or groups under their direction and control. Two long time activists of the CPA were recently assassinated, the last on July 31, 2006, after repeated threats against them. Their assassinations and the attempted assassination of another, are the subject of this communication.

We fear for the safety of other members and associates of the Cordillera Peoples Alliance and other Indigenous human rights defenders. We are particularly concerned about the lives and safety of Dr. Constancio Claver who suffered this attempt on his life after receiving death threats, and Ms. Joan Carling of the CPA who has also received threats.

We urge the Special Representative of the Secretary General for Human Rights Defenders to fully exercise her mandate in this case, particularly in actions to protect these and other Cordillera Peoples Alliance workers, members and associates and their families.

By copy we are informing Mr. Rodolfo Stavenhagen, the Special Rapporteur on the human rights of Indigenous Peoples and Mr. Philip Alston, the Special Rapporteur on Extrajudicial, summary and arbitrary executions, that your respective mandates be informed and work together with this case.

If you have any questions or comments, please direct them to us.

For all our relations,

Alberto Saldamando  
General Counsel, IITC

cc: Mr. Rodolfo Stavenhagen: +[41-22] 917-9006; kghezraoui@ohchr.org  
Mr. Philip Alston: + [41-22] 017-9006  
Cordillera Peoples Alliance  
Andrea Carmen, IITC Executive Director

## Communication – Essential Allegations

### 1. Names of victim/s

Mrs. Alyce-Omengan Claver;  
Dr. Constancio Claver, M.D.  
Mr. Rafael Markus Bangit

### 2. Status of the victim as a human rights defender:

1. Mrs. Alyce Omengan Claver was an active member of Cordillera student's organizations, including CPA chapter in Manila while she was a college student. She had been very generous in her support to various peoples organizations and socio-civic institutions. She has also provided invaluable support to her husband and his work while at the same time, a devoted mother to their three children. Alyce Omengan-Claver was a native of Sagada, Mountain Province.

2. Dr. Constancio “ Chandu” Claver, a native of Bontoc, Mountain Province, is the Chairperson of Bayan Muna-Kalinga. Bayan Muna is a national political party representing the various marginalized sectors of the Philippine society. Further, Dr. Claver is serving as vice chairperson of CPA-Kalinga Chapter. He has been a doctor of the masses for decades, being the Executive Director of the former Community Health and Education Concerns for Kalinga-Apayao. He was one of the founding members of the CPA- Kalinga Chapter, and has been working relentlessly with CPA and its networks, in and outside of Kalinga. Chandu Claver is known as a staunch advocate of human rights, peace and justice.

3. Rafael Markus Bangit.

Mr. Markus Bangi, 47 years old, from the Malbong tribe of Tomiangan, Tabuk, Kalinga, was assassinated on June 8, 2006. At the time of his death he was the Coordinator of the Elders Desk of the Cordillera Peoples Alliance (CPA) and also of the Bodong Pongors Association (BPO), a federation of Cordillera tribal elders affiliated with the CPA.

Mr. Bangit was also one of the senior members of the CPA regional secretariat in which he has been playing the role of big brother and confidante to junior secretariat members. Since August 2004, he had been based in the CPA regional office in Baguio, while his family remained in Tabuk, Kalinga.

For more than three decades, Markus Bangit devoted his time, energy, and talents to the ever-growing Indigenous Peoples movement in the Cordillera. He started as a very young activist in the mid-1970s, when his village was under threat of being submerged by one of the four mega-dams that the Marcos dictatorship planned to build along the Chico River. While completing his college education, he joined the ranks of students demanding the defense of land and resources which remained to be an issue even after the World Bank withdrew its Chico River Dam project.

After graduating from political science course, Mr. Bangit went back to his home province where he persisted in his activism for the defense of land. He elected Chairperson of CPA-Kalinga from 1995 to 1998 and later in 2001, was also elected as the Secretary-General of Bayan Muna-Kalinga. Until his death, he was the Vice-Chairperson of Bayan Muna. Consistent with his leadership under the Bayan Muna political party, Markus was active in the local government, first as the Secretary then later as a Councilman of Barangay Dupag. The Barangay has administrative jurisdiction over Tomiangan.

He also served as NGO representative in the Municipal Council of Tabuk and for this he was posthumously honored. He ran for the position of municipal councilor in the 2004 elections but lost by a very few votes. Many believe the election results were fraudulent.

In the recent years, Mr. Bangit earned respect from the elders of his tribe that grew wider to the Cordillera as he displayed wisdom and skill in the indigenous system of inter-tribal conflict resolution consistent with international human rights standards. Mr. Bangit, himself was a peace-pact holder.

He was married to Augustina Pito Bangit and has four children, the eldest aged 15 and the youngest, 5 years of age. His wife Augustina for many years worked as volunteer and is now an employee of the Department of Social Work and Development (DSWD).

### **3. Violation/s committed against the victims:**

1. Dr. Claver and his wife Alyce Omegan Claver had just come from St. Tony's College on July 31, at around 6:45 AM after sending off their older daughters to school. Dr. Claver was driving their vehicle, with Alyce beside him, in the front seat. Sandy (Cassandra), their youngest daughter was seated at the back seat. Upon taking a U-turn at the Bulanao Junction, a national highway, they received a burst of gunfire from two (2) Delica vans-1 white-colored and 1 dark colored.

They were rushed to the nearby Kalinga Provincial Hospital. Both Dr. Claver and Sandy survived the shooting. Unfortunately, Mrs. Claver was declared dead at around 12:30 noon. Dr. Claver sustained multiple gunshot wounds in the left arm and chest, and his wife Alyce sustained four fatal (4) gunshot wounds in the head, neck, and shoulders.

Dr. Claver is currently undergoing medical treatment/surgery to have his left arm be restored. Claver is a surgeon. While fighting for the recovery of his left arm, his security remains at risk.

#### **2. Mr. Rafael Markus Bangit**

Mr. Rafael Markus Bangit, together with his eldest son, Banna, took the GL bus line from Tabuk bound to Baguio in the afternoon of June 8, 2006. The bus stopped in San Isidro, Echague, Isabela at around 6:00 PM for supper. After eating, while re-boarding the bus with Mrs. Gloria Casuga beside him, Mr. Bangit was shot by a hooded assailant. Mrs

Casuga screamed prompting the assailant to shot her. The assailant immediately walked to the parked dark-colored van that immediately sped off.

Mr. Bangit was rushed to the Echague District Hospital where he died. Mrs. Gloria Casuga, a principal of Quezon National High School in Isabela, died on the spot with two gunshot wounds. She was another passenger of the bus. She was an innocent bystander and unknown to Mr. Bangit. His son Banna was unhurt.

According to the autopsy of Mr. Bangit, done by Dr. Chandu Claver, Mr. Bangit sustained four bullet wounds, three of which penetrated his thorax (chest and stomach) and exited, while one bullet was left inside his body. Autopsy further revealed that Makoy was shot at close range with .45 caliber gun.

#### **4. Perpetrators**

For both cases, identities of the assailants have yet to be established. But the method of operation of the assassins, including their transportation, dress and armament point to armed paralegal groups controlled or tolerated by the State, particularly the Philippines National Police.

#### **5. Action by authorities**

Complaints for both assassinations were filed with the National Commission on Human Rights both at the regional and national office. The national office committed to conduct a public hearing which has yet to occur.

In the aftermath of the Claver ambush, the Kalinga Director of the Philippines National Police, Mr. Ramos, was ordered to go on 30-day “mandatory leave” since August 16, 2006 to facilitate investigation of the cases.

#### **6. Link between the violation and human rights work; Previous incidents**

To date there are 73 indigenous persons subjected to extrajudicial killings since 2005. Up to now not a single perpetrator has been identified and brought to justice. On this same day that Mrs. Claver was killed and Dr. Claver was shot, two other political killings happened. The League of Filipino Students provincial spokesman Rei Mon Guran was slain in Sorsogon province and Tanod tabloid photojournalist Prudencio Melendres, was killed in Malabon. The total number of political killings for just a period of one year is 705 people and there are a total of 182 enforced disappearances which up to now remains unsolved. To date there are 73 indigenous persons subjected to extrajudicial killings since 2005.

##### **A. Incidence of threats and surveillance:**

1. CPA regional office in Baguio City has been observed to be monitored since October of 2005 by elements believed to be state agents. The surveillance

heightened in the first quarter of 2006. Joan Carling, the chairperson of CPA, was observed to have been closely watched including her residence. Visiting friends coming from her residence are observed to having been closely tracked.

2. In February 2006, it came to the attention of CPA that a “hit-list” is being looked into by the military in the region. Among those on the “hit-list” are prominent leaders of CPA topped by Joan Carling and Windel Bolinget.
3. There were no reports of close monitoring of Mr. Markus Bangit in Baguio City who happens to be residing at the CPA office. Close monitoring of Mr. Bangit was noted in Tabuk and Dupag, his hometown, 3 days before his assassination.
4. In the aftermath of Mr. Bangit’s assassination, threats against Dr. Claver were observed to have heightened. In one occasion while Claver was on air in a local radio station being interviewed on issues of mining, his wife Alyce received a text message “*matapang si doc, hindi niya kayo mahal*” (The Dr. is brave. He doesn’t love you).

## **B. Red Labelling and Vilification**

In a radio interview a day after the Claver ambush, the regional director of the Philippines National Police (PNP) Chief Superintendent Raul Gonzales claimed that Claver is an active member of the National Democratic Front (NDF), a coalition of revolutionary organizations. NDF is a primary target of the present administration’s anti-insurgency policy dubbed OPLAN BANTAY LAYA (Operation Freedom Watch). In this policy and as indicated by the spate of political killings, OPLAN BANTAY LAYA doesn’t make a distinction between armed revolutionary organizations from un-armed and legal organizations. Once labeled by the military and police as “reds” or communist fronts, these organizations and their members are apparently not entitled to the rule of law. This pattern of vilification was attempted against Claver.

## **C. Similar vocations of the victims**

Both Dr. Claver and Mr. Bangit are leaders of the Cordillera Peoples Alliance and Bayan Muna. Both are influential and charismatic personalities in Kalinga with the clear potential of influencing politics in the province including influencing the outcome of mining prospects in the province. Both are outspoken critiques of the government’s non-compliance with respect to indigenous peoples rights.

Of note are other similar cases of killings in the Cordillera or related with the Cordillera struggle for defense of land and resources.

1. Jose Doton is a leader of TIMMAWA, an organization in San Manuel Pangasinan born out of the struggle against the San Roque Multi-Purpose Dam in the boundary of Pangasinan and Benguet. Unlike the Chico Dam

struggle, San Roque was built despite relentless opposition from affected communities and their advocates. Mr. Doton's noble leadership in this struggle is revered not only among his own village but the Cordillera peoples as well. In May 16, 2006 at around 10:45am, he together with his brother, were shot by motor-riding assailants. His brother survived but Mr. Doton was killed.

2. Albert Terredano is a government employee and a leader of their union. Until his death, he was an active paralegal volunteer of DINTEG, the Cordillera Indigenous Peoples Legal Center. Before entering the government service, he was a staff of the Task Force Detainees of the Philippines in Abra, his home province. He was shot and killed in Abra in November 29, 2005 by motor-riding assailants.
3. Jose "Pepe" Manegdeg was the coordinator of the Rural Missionaries of the Philippines for Ilocos and Cordillera at the time of his assassination. As coordinator of RMP, his advocacy to the Cordillera peasantry was demonstrated in his membership in the SAVE THE ABRA RIVER MOVEMENT (STARM). STARM is a network of organizations and individuals advocating for the environmental protection of the Abra River, one of the major river systems in the Cordillera that is being polluted and silted by the mine wastes of the Lepanto Mining Company. He was assassinated in November 28, 2009 in a national highway in Ilocos Sur while waiting for a bus bound to Manila.
4. Romeo Sanchez was the regional coordinator of BAYAN MUNA- Ilocos Region. He was assassinated in Baguio City in March 9, 2005. He is in Baguio City at that time to attend a consultation with BAYAN MUNA- Cordillera. Sanchez was once a radio reporter of local stations in Pangasinan and Ilocos. He left his job and worked fulltime with various NGOs and POs in the Ilocos region.

**D. Absence of pursuit operations and ineffective investigation from the police.**

For both Mr. Claver and Mr. Bangit, the police did not conduct immediate pursuit operations against the perpetrators. The Claver assassination and attempt against Dr. Claver was staged 250 meters away from the provincial police headquarters and only meters away from a police checkpoint along the highway towards Tuguegarao. The assassination site is also only meters away from the police check point towards the western side of Tabuk. The area is in a provincial center where highways leading to and out of the provincial center are manned by police and military check points. The two get-away assassin vehicles could have been tracked down had the police exerted very little effort towards these ends.

**E. Pattern of Impunity, in particular, under Provincial Director Pedro Ramos of Kalinga Philippine National Police \_PNP**

From the day, Police Director (PD) Ramos was deployed in the province of Kalinga in March 2006, 14 incidents of killings resulting in 23 to 24 people killed and two survivors occurred. These incidents are believed to be perpetrated by police elements. The most notorious case is the double-murder of Noel Gobiangan and Elmer Gallema and related murder of Amor Gobiangan and Gerry Aben.

Noel Gobiangan and Elmer Gallema, Robert Lutao, and Rodel Gallema, suspected criminals, were arrested without warrant of arrest in May 23, 2006 at about 1:30am by a team of police headed by PD Ramos. In the afternoon of same day, they were brought to the prosecutor's office in Tuguegarao. At around 10pm of same day, the dead bodies of Noel Gobiangan and Elmer Gallema were brought to the Tabuk provincial hospital by the police. The survivors of the four, Robert Gallema and Robert Lutao executed a joint affidavit that the two deceased, Noel Gobiangan and Robert Gallema were run over by a mini-dump truck and the police vehicle they were riding, several times, upon order of PD Ramos who was with them during the whole trip. In a related incident, Adelbertina Gallema, mother of Elmer and Noel, in her affidavit, claimed that a certain Gerry Aben was killed earlier in April 14, 2006 by a team of police also headed by PD Ramos. Meanwhile, Amor Gobiangan, brother of Noel Gobiangan, is an NBI agent killed in March 15, 2006 at the Tabuk Municipal Hall compound allegedly by police elements.

**7. Who is submitting this information?**

This information is submitted by:

Alberto Saldamando, General Counsel, IITC  
International Indian Treaty Council  
2390 Mission Street, Suite 302,  
San Francisco, California, USA  
Telephone: +(415) 641-4482  
Telefax: +(415) 641-1298  
Email: [alberto@treatycouncil.org](mailto:alberto@treatycouncil.org)

(We request confidentiality for:

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